

# GENERAL STATUTES

OF

# MINNESOTA

1913

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such agents as may be deemed necessary to carry out the provisions of this act, and said Minnesota agricultural experiment station or agents shall have free access at all reasonable hours upon and into any premises or structures to make examination of any seeds, whether such seeds are upon the premises of the owner of such seeds or on other premises, or in the possession of any warehouse, elevator or railway company; and upon tendering payment therefor at the current value, may take any sample or samples of such seeds. ('13 c. 141 § 6)

**3765. Same—Salaries—**The salaries of such agents as may be appointed to carry out the provisions of this act, shall be fixed and paid by the Minnesota agricultural experiment station of the University of Minnesota. ('13 c. 141 § 7)

**3766. Same—Testing seeds—**Any citizen of the state of Minnesota may, in accordance with the regulations prescribed by the Minnesota agricultural experiment station, and by pre-paying the transportation charges, send a sample or samples of seed to said Minnesota agricultural experiment station for examination, analysis and tests, and such examination, analysis or tests, shall be reported upon free of charge. ('13 c. 141 § 8)

**3767. Same—Certificates—**The certificate of the Minnesota agricultural experiment station giving results of any examinations, analysis or tests of any seed sample made under the authority of said Minnesota agricultural experiment station shall be presumptive evidence of the facts therein stated. ('13 c. 141 § 9)

**3768. Same—Violation of act—Attorney general and county attorneys—**When said Minnesota agricultural experiment station shall find by its examinations, analysis, or tests, that any person, firm or corporation has violated any of the provisions of this act, it shall transmit the fact so found to the attorney general or to the county attorney of the county in which the offense was committed. ('13 c. 141 § 10)

**3769. Same—Duty to prosecute—**It shall be the duty of the attorney general and the county attorney to prosecute all persons violating any of the provisions of this act, when evidence thereof has been presented by the Minnesota agricultural experiment station. ('13 c. 141 § 11)

**3770. Same—Annual report—**The said Minnesota agricultural experiment station shall make an annual report to the governor of the state of Minnesota upon the work done under this act, and shall publish the same in pamphlet form. ('13 c. 141 § 12)

**3771. Same—Appropriation—**There is hereby appropriated from the state treasury out of any moneys not otherwise appropriated the sum of five thousand (\$5,000) dollars or so much thereof as may be necessary for the fiscal year ending July 31, 1914, and the same amount for the fiscal year ending July 31, 1915, the said money to be expended under the direction of the Minnesota agricultural experiment station in carrying out the provisions of this act. ('13 c. 141 § 13)

## CHAPTER 21A

### REGULATION OF CERTAIN MANUFACTURES AND SALES

**3772. Cotton duck or canvas—Definition—**That for the purpose of this act cotton duck or canvas shall be deemed to include all cotton duck or canvas, whether single filling, double filling, army roll or wide duck. ('13 c. 167 § 1)

**3773. Same—What constitutes yard—**That for the purposes of this act, the equivalent of thirty-six (36) inches in length by twenty-nine (29) inches in width, or seven and one-fourth ( $7\frac{1}{4}$ ) square feet of cotton duck or canvas shall constitute a yard, and an ounce shall be one-sixteenth part of a pound avoirdupois. ('13 c. 167 § 2)

**3774. Same—Manufacture and sale—Stamps, brands and marks—**Any person, company or corporation who shall manufacture for sale or who may offer or expose for sale any cotton duck or canvas or any article other than clothing and wearing apparel composed or made in whole or in part of cotton duck or canvas, shall distinctly and durably stamp, brand or mark thereon the true and

correct weight of such cotton duck or canvas, by ounces per yard, together with a description by name of any filler or other preparation placed in or on said cotton duck or canvas since its manufacture. ('13 c. 167 § 3)

**3775. Same—Certain sales unlawful—Misstatements, etc.**—It shall be unlawful for any person or corporation either individually or in any representative capacity, to carry for sale, sell or endeavor to sell any cotton duck or canvas as herein defined, or any articles other than clothing and wearing apparel, composed or made in whole or in part of any cotton duck or canvas without having marked thereon the true and correct weight of said canvas or cotton duck by ounces per yard, together with a description by name of any filler or other preparation placed in or on said cotton duck or canvas since its manufacture, or to misstate, misrepresent or conceal the true weight of said canvas or cotton duck by ounces per yard, or to misstate, misrepresent or conceal the existence of any filler or other preparation placed in or on said cotton duck or canvas since its manufacture. ('13 c. 167 § 4)

**3776. Same—Concealing or misstating size unlawful**—It shall be unlawful for any person or corporation either individually or in representative capacity, selling, carrying for sale or endeavoring to sell any awnings, paulins, wagon covers, tent, grain and hay covers, stable or tent tops, to misstate or misrepresent or conceal the true and correct size and dimensions thereof. ('13 c. 167 § 5)

**3777. Same—Unlawful to deface mark, etc.**—It shall be unlawful for any person to deface, mutilate, obscure, conceal, efface, cancel or remove any mark provided for by this act, or cause or permit the same to be done with intent to mislead, deceive or to violate any of the provisions of this act. ('13 c. 167 § 6)

**3778. Same—Penalty for violation**—Any person, company or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall for the first offense be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) and for each subsequent offense by a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00). ('13 c. 167 § 7)

**3779. Mattresses—Manufacture and sale—Brands and labels—Penalty**—Whoever manufactures for sale, offers for sale, sells, delivers, or has in his possession with intent to sell or deliver any mattress which is not properly branded, or labeled or whoever uses, either in whole or in part in the manufacture of mattresses, any cotton, or other material which has been used, or has formed a part of any mattress, or bedding used in or about public or private hospitals or on or about any person having infectious or contagious diseases, or whoever dealing in mattresses, has a mattress in his possession for the purpose of sale, or offers it for sale, without a brand or label as herein provided, or removes, conceals or defaces the brand or label thereon, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment. ('13 c. 490 § 1)

By section 5 the act takes effect January 1, 1914.

**3780. Same—Contents of brand or label**—The brand or label therein required shall contain, in plain print in the English language, a statement of the material used in the manufacture of such mattresses, whether such materials are, in whole or in part, new or second-hand, and the quality of the materials used. Such brand or label shall be in the shape of a cloth tag to be sewed or otherwise securely attached to each such article. ('13 c. 490 § 2)

**3781. Same—What included—Construction of term "mattress"**—A mattress within the meaning of this section shall include a quilted pad, stuffed with hair, wool or other soft material, except feathers, to be used on a bed for sleeping or reclining purposes. ('13 c. 490 § 3)

**3782. Same—Duties of commissioner of labor, attorney general, etc.**—When the commissioner of labor shall have reason or cause to believe that any of the provisions of this section are being or have been violated, such commissioner shall advise the attorney-general thereof, giving the information in support of such belief, and the attorney-general, or, under his directions, the prosecuting

attorney of any county in which the violation occurs, shall forthwith institute the proper legal proceedings for the enforcement of the provisions of this section and for the punishment of the violation thereof. ('13 c. 490 § 4)

## CHAPTER 22

### FORESTRY AND FOREST FIRES

**3783. State forestry board, how constituted**—There shall be a state forestry board, of nine members, composed of the director of the forestry school and the dean of the agricultural college of the University of Minnesota, and seven others appointed by the governor, for a term of four years and until their successors qualify. Two of said members shall be appointed upon the recommendation of the regents of the university ( ) and one shall be appointed upon the recommendation of each of the following bodies: The state agricultural society, the state horticultural society, and the state game and fish commission—provided suitable persons be recommended by them to the governor not later than January 31st, of the year in which such terms expire. All vacancies shall be filled the same as the original appointments. The members now in office shall hold through the terms for which they were respectively appointed. So far as practicable, all such appointees shall be appointed with reference to their knowledge of, and interest in, the planting and cultivation of trees in prairie regions, the preservation of natural forests, the reforestation of denuded lands, and the protection of the sources of streams. ('11 c. 125 § 1, amended '13 c. 159 § 1)

This act supersedes 1907 c. 171. See § 3810.

As to salaries, see § 294.

**3784. Secretary**—The state forestry board shall appoint a secretary at a salary not to exceed eighteen hundred (1800) dollars per annum, whose duties shall be prescribed by the board. ('11 c. 125 § 2)

See § 294.

**3785. Powers and duties of board—Annual report**—The board shall have the management of the forest reserves and of all other property acquired therefor, supervise all matters of forest protection and reforestation and have charge of all moneys appropriated therefor or accruing therefrom, including the forest reserve fund and the forest service fund. It shall ascertain and observe the best methods of reforestation of cut-over and denuded lands, foresting waste and prairie lands, preventing destruction of forests and lands by fire, administering forests on forestry principles, encouraging private owners to preserve and grow timber for commercial purposes, and conserving the forests around the head waters of streams and on the watersheds of the state, and shall collect information regarding the timber lands owned by the state. On or before the first Monday in December of each year the board shall report its doings, conclusions and recommendations, and any damage caused by forest and prairie fires and any trespassing upon state lands to the governor, which report shall be printed and distributed to the members of the legislature and otherwise as the board may direct. ('11 c. 125 § 3)

See § 5379 et seq.

**3786. State forester—Salary and expenses—Powers and duties**—The board shall elect a president and vice-president annually. It may appoint an executive committee on which it may confer authority to act for it in minor details which cannot conveniently be acted upon by the board. The board shall appoint a state forester who shall be a trained forester, at a salary not to exceed four thousand (4,000) dollars per annum, and he shall be allowed necessary traveling and field expenses incurred in the conduct of his official duties. The office of the state forester shall be at the state capitol and the board is hereby authorized to employ such office assistants as may be necessary and to fix their compensation. The state forester, with the approval of the state forestry board, may appoint an assistant forester and such other employees, outside of the office assistants, as may be necessary in carrying out the provisions of this act and fix the amount of their compensation; and the state forester shall have the power to remove any such subordinate offi-